

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CASE NO. 5:22-CV-132-DCK**

**CHRISTINA VIOLET BARE BLACKBURN,** )

**Plaintiff,** )

**v.** )

**KILO KIJAKAZI,** )

**Acting Commissioner Of Social Security,** )

**Defendant.** )

**ORDER**

**THIS MATTER IS BEFORE THE COURT** on Defendant’s “Consent Motion For Reversal And Remand Pursuant To Sentence Four of 42 U.S.C. § 405(g)” (Document No. 16) filed March 8, 2023. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of the parties, the undersigned will grant the motion.

Based on the parties’ agreement and applicable authority, the Court will direct that the Commissioner’s decision be reversed pursuant to 42 U.S.C. § 405(g), and that this matter be remanded to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Sentence four of 42 U.S.C. § 405(g) provides, in pertinent part, that “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” Defendant here has moved for reversal of the decision below and for a remand of this case for further administrative proceedings. (Document No. 16). For the reasons stated in Defendant’s motion, the Court finds that remand is appropriate.

**IT IS, THEREFORE, ORDERED** that Defendant's "Consent Motion For Reversal And Remand Pursuant To Sentence Four of 42 U.S.C. § 405(g)" (Document No. 16) is **GRANTED**.

**IT IS FURTHER ORDERED** that "Plaintiff's Dispositive Brief" (Document No. 11) be **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that the Clerk of the Court shall enter a separate Judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure, and that this matter be **CLOSED**.

**SO ORDERED.**

Signed: March 8, 2023

  
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David C. Keesler  
United States Magistrate Judge

